IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4464 OF 2005

Office Note, Office Memoranda of Coram appearance, Corut's orders or directions and Registrar's Orders:	Court's or Judge's Orders

---

Mr.P.S. Dani, for the petitioners

CORAM: F.I. REBELLO &
MRS. R.S.DALVI, JJ.
DATE : 5TH DECEMBER, 2005

P.C.

. For the order to be passed notice on respondents dispensed with. In terms of averments in the petition the petitioners have a judgment in their favour against the respondent No.1 in Special Civil Suit No.37 of 2003. It is the grievance of the petitioners that the respondent No.1 has now exchanged the land with Respondent No.6 though there was earlier an agreement to sell with the petitioners and now the petitioenrs have a judgment in their favour by way of decree for specific performance. The grievance of the petitioners is that now the respondent Nos. 1 and 6 have moved the respondent Nos. 3, 4 and 5 for converting the land for non-agricultural purpose and for sanctioning the lay-out and that they should be heard before such permission is granted.

2. Considering the controversy and as the petitioners have a judgment in their

favour in respect of the land, the Respondent Nos. 3 ,4 and 5 before granting permission for N.A. and lay-out in favour of Respondent Nos. 1 and 6 if the petitioners file any objection or have already filed an objection

to hear the petitioenrs.

3. In so far as exchange between respondent Nos. 1 and 6 is concerned, it will be open to the petitioners to take such steps which in law they are entitled to including by way of proceedings before the

Civil Court.

4. In the event the petitioners apply for inspection of the documents with the respondent Nos. 3,4 and 5 regarding any application made by the respondent Nos. 1 and 6, the respondent Nos. 3, 4 and 5 to allow the petitioners inspection and thereafter to file any objection that the

petitioners may have.

. Petition stands disposed accordingly.

. All authorities to act an ordinary copy of this order duly authenticated by the

office.

(**F.I. REBELLO, J.**)

(**MRS.R.S. DALVI,J.**)